

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

ERIC PRESCOTT KAY

*Movant*

v.

UNITED STATES OF AMERICA

*Respondent*

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§  
§  
§

NO. 4:25-CV-132-Y

**MOVANT'S UNOPPOSED MOTION FOR  
EXTENSION OF TIME TO FILE REPLY**

To the Honorable Court:

Movant Eric Prescott Kay respectfully moves for a thirty-day extension, until September 8, 2025, to file his reply to the government's response to his motion under 28 U.S.C. § 2255. Mr. Kay requests this extension because since the government filed its response, both undersigned counsel had pre-planned family vacations. Additionally, undersigned counsel David Gerger appeared before the Western District of Texas and had pre-existing commitments to appear professionally in Dallas, Texas, and Washington, D.C. Further, undersigned counsel Brett Ordiway prepared and filed an application for a writ of habeas corpus in *Ex parte Alvarez*, No. W012674 (297th Dist. Ct.).

The government is unopposed to this motion.

Respectfully submitted,

/s/ Brett Ordiway  
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**CERTIFICATE OF CONFERENCE**

I certify that I conferred with Assistant United States Attorney Jonathan Bradshaw on July 28, 2025, and he stated that the United States of America is unopposed to this motion.

/s/ Brett Ordiway  
BRETT ORDIWAY

**CERTIFICATE OF SERVICE**

I certify that on July 31, 2025, I electronically filed this motion with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the Court. The electronic case filing system sent a “Notice of Electronic Filing” to Respondent’s lead counsel, Jonathan Bradshaw, who has consented in writing to accept this notice as service of this document by electronic means.

/s/ Brett Ordiway  
BRETT ORDIWAY